

Order

**Michigan Supreme Court
Lansing, Michigan**

July 31, 2006

130716 & (17)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

ROGER BRIAN HESS,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 130716
COA: 263608
Oakland CC: 2001-177490-FC

On order of the Court, the application for leave to appeal the January 23, 2006 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion for appointment of counsel is DENIED.



s0724

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 31, 2006

Corbin R. Davis

Clerk